

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARSHALL VANDERMARK et al.,

Plaintiffs,

-v-

LAW ENFORCEMENT EMPLOYEES
BENEVOLENT ASSOCIATION et al.,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 9/19/2016

15 Civ. 483 (VSB)

ORDER

VERNON S. BRODERICK, United States District Judge:

For the reasons stated on the record in the conference in this matter held on September 16, 2016, it is hereby:

ORDERED that Defendants' motion to dismiss, (Doc. 27), is GRANTED IN PART AND DENIED IN PART. Defendants' motion to dismiss is granted as to Plaintiffs' claims under Titles I, IV, and V of the Labor Management Reporting and Disclosure Act. Defendants' motion to dismiss is denied as to Plaintiffs' claims under Title II of the Labor Management Reporting and Disclosure Act and New York state law. However, venue is not proper in this District for Plaintiffs' Title II claim, and therefore this matter—which includes Plaintiffs' Title II claim and Plaintiffs' New York state law claims—is transferred to the United States District Court for the Northern District of New York absent the filing of a motion for reconsideration by Plaintiff.

The Clerk of Court is respectfully directed to close the pending motion, (Doc. 27). The Clerk of Court is also respectfully directed to transfer this matter to the United States District

Court for the Northern District of New York on October 14, 2016 unless Plaintiff files a motion for reconsideration prior to that date.

SO ORDERED.

Dated: September 16, 2016
New York, New York

A handwritten signature in black ink, reading "Vernon Broderick". The signature is written in a cursive style with a large, stylized "V" and "B".

Vernon S. Broderick
United States District Judge